

REMARKS

Formal Matters

As suggested by the Examiner, claims 1, 10, 11, and 12 have been amended to illustrate the various claimed structures.

Claim Rejection - 35 U.S.C. §103

Claims 1-11 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Bowman et al. (U.S. Patent No. 5,473,078) for the reasons set forth in the previous office action mailed on February 21, 2007. Specifically, the claims were rejected because of a lack of side by side data comparing the results of the present invention with the process of Bowman.

In response, Applicants submit herewith five exhibits directly comparing the presently claimed process with Bowman. Exhibit 1 is a table summarizing the results. Sample 1 was prepared according to the process taught by Bowman. This process resulted in a yield of 57.66%. Comparative examples 2-4 were prepared according to the teachings of the present application. All three comparative examples used a sodium salt of 1,2,4 triazole. The resulting yields were: 96.24%, 98.23%, and 97.73%. Exhibits 2-5 are the actual HPLC graphs and annexures from which Exhibit 1 was prepared. Applicants submit that the included data provide unequivocal proof that the claimed invention provides unexpectedly better results than the process of Bowman. Applicants respectfully request withdrawal of the rejection.

Claim 12

Regarding restricted and withdrawn claim 12, Applicant reserves the right to file a divisional application to pursue claim 12.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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